

**Report to
Rapport au:**

**Planning Committee
Comité de l'urbanisme**

**and Council
et au Conseil**

**October 31, 2014
31 octobre 2014**

**Submitted by
Soumis par:**

**Nancy Schepers,
Deputy City Manager / Directrice municipale adjointe,
Planning and Infrastructure / Urbanisme et Infrastructure**

Contact Person / Personne ressource:

**Michael Mizzi, Chief / Chef,
Development Review Services / Services d'Examen des projets d'aménagement,
Planning and Growth Management / Urbanisme et Gestion de la croissance
(613) 580-2424, 15788, Michael.Mizzi@ottawa.ca**

Report Author / Auteur du rapport:

**John Bernier, Planner 1 / Urbaniste 1, Development Review Rural Services Unit /
Unité examen des demandes d'aménagement services ruraux
(613) 580-2424, 21576, John.Bernier@ottawa.ca**

Ward: OSGOODE (20)

File Number: ACS2014-PAI-PGM-0223

SUBJECT: Zoning By-law Amendment – 5832 Bank Street

OBJET: Modification au Règlement de zonage – 5832, rue Bank

REPORT RECOMMENDATION

That Planning Committee recommend Council approve an amendment to Zoning By-law 2008-250 for 5832 Bank Street to add a retail store (limited to a building supply, home furniture and/or home appliance showroom) to the list of permitted uses, as detailed in Document 2.

RECOMMANDATION DU RAPPORT

Que le Comité de l'urbanisme recommande au Conseil d'approuver une modification au Règlement de zonage n° 2008-2050 visant la propriété située au 5832, rue Bank, et ayant pour but d'ajouter un magasin de détail (limité à une salle d'exposition de matériaux de construction, de meubles ou d'appareils électroménagers) à la liste des utilisations permises, comme le précise le document 2.

BACKGROUND

Learn more about [Zoning By-law amendments](#)

For all the supporting documents related to this application visit the [Development Application Search Tool](#).

Site location

5832 Bank Street.

Description of site and surroundings

The property is 1505 square metres in size, and is currently occupied by a vacant 186 square metre, single-storey commercial building. To the south along Bank Street are a few single-detached homes, with a larger residential subdivision further south. A large wooded area is located to the east. Single-detached dwellings and a few commercial uses are located to the north along Bank Street. A 13.7-hectare licensed aggregate area (Brenning Pit) operates to the west of the site.

Summary of requested Zoning By-law amendment proposal

The current zoning of the property is Rural Commercial, First Density, Exception 155r (RC1 [155r]), which under the exception only permits an office or recreational facility.

The proposed Zoning By-law amendment would add a retail store (limited to a building supply, home furniture and/or home appliance showroom) to the list of permitted uses,

in order to accommodate a fireplace showroom store. Additionally, the as-built structure has an interior side yard of 1.2 metres, whereas the RC1 zone requires an interior side yard setback of 4.5 metres, and although it enjoys legal non-conforming status, the applicant wishes to include this as part of the amendment.

Note that no site works are being proposed at this time.

DISCUSSION

Public consultation

Notification and public consultation was undertaken in accordance with the Public Notification and Public Consultation Policy approved by City Council for Zoning By-law amendments. No comments were received.

Official Plan designation

This application has been reviewed using the policies contained within Official Plan Amendment 150. The property is located within the Village of Greely and is designated as 'Village' within the Official Plan.

Other applicable policies and guidelines

The proposed is subject to the policies contained within the 2014 Provincial Policy Statement (PPS), which came into effect on April 30, 2014.

The Greely Community Design Plan is another document which is used to assess the appropriateness of the proposed amendment. The property is designated Highway Commercial within this plan.

Planning rationale

Provincial Policy Statement (2014)

The proposed Zoning By-law amendment is in keeping with Policies 1.1.1 and 1.1.3.2 which provide guidance for developing healthy, liveable and safe communities. These policies emphasize the promotion of cost-effective development patterns that represent efficient use of land and resources. The proposed amendment is also supportive of Policy 1.1.4.1 which speaks to creating a diverse economic base within rural areas, and underscores the efficient use of infrastructure and public service facilities. The property has services, adequate parking, and has an access to a public street (Bank Street).

Official Plan (OPA 150)

The proposed Zoning By-law amendment is in keeping with the policy direction given in the Official Plan. As noted, the property is located within the Village of Greely and is designated Village within the Official Plan. The proposed new use meets the intent of this designation, which is to permit a variety of land uses that provide for the daily needs of the rural community and ensures that they remain distinctly rural in character and scale (3.7.1, Policy 1). Furthermore, the proposal encourages the development of modest employment opportunities. This is supported by Policy 7 (Permitted Uses in Villages) where retail and commercial service facilities of up to 10,000 square metres are permitted. The existing structure, being 186 square metres in size, is well within this requirement.

The property is located adjacent to a mineral aggregate pit; as such the proposal must comply with the provisions set out in Section 3.7.4 (Mineral Aggregate Resources). Policy 10 states that new development may be approved within 500 metres of a bedrock quarry or within 300 metres of an existing sand and gravel pit provided that the existing mineral operation and any future expansion will not be affected by the development. The proposed use is not a significant deviation from the previously approved uses for this property, and is not expected to be in conflict with the operation and potential expansion of the mineral aggregate pit.

Greely Community Design Plan

The subject property is listed as Highway Commercial within this document. This designation caters to the development of commercial services that are dependent on automobiles and require large parcels of land. While a retail commercial use should be directed to the Village Core, the nature of the proposed use is closer to that of a building supply and service outlet, which is a use permitted under the Highway Commercial designation.

RURAL IMPLICATIONS

The proposal would not have an impact on the rural character and would make use of existing, private and public services.

COMMENTS BY THE WARD COUNCILLOR

Councillor Thompson is supportive of the application related to this report.

LEGAL IMPLICATIONS

There are no legal impediments to adopting the recommendation outlined in this report.

RISK MANAGEMENT IMPLICATIONS

There are no risk management implications associated with this report.

FINANCIAL IMPLICATIONS

There are no direct financial implications.

ACCESSIBILITY IMPACTS

The report's recommendations will not have any negative impacts on people with physical disabilities.

TECHNOLOGY IMPLICATIONS

Information Technology and Planning and Growth Management have agreed that for Land Use reports from Development Review Services and Policy Development and Urban Design Branches, there is no technology component.

TERM OF COUNCIL PRIORITIES

There are no direct impacts related to the 2010-2014 Term of Council Priorities.

APPLICATION PROCESS TIMELINE STATUS

This application was processed by the On Time Decision Date established for the processing of Zoning By-law amendment applications.

SUPPORTING DOCUMENTATION

Document 1 Location Map

Document 2 Details of Recommended Zoning

Document 3 Overview Data Sheet (attached separately – on file with the City Clerk)

CONCLUSION

The Planning and Growth Management Department has reviewed the application for a Zoning By-law amendment at 5832 Bank Street and has come to the conclusion that there are no concerns with the additional use and change in side yard setback. The proposal is in keeping with applicable Provincial and Official Plan policies, and meets the general intent of the Greely Community Design Plan.

DISPOSITION

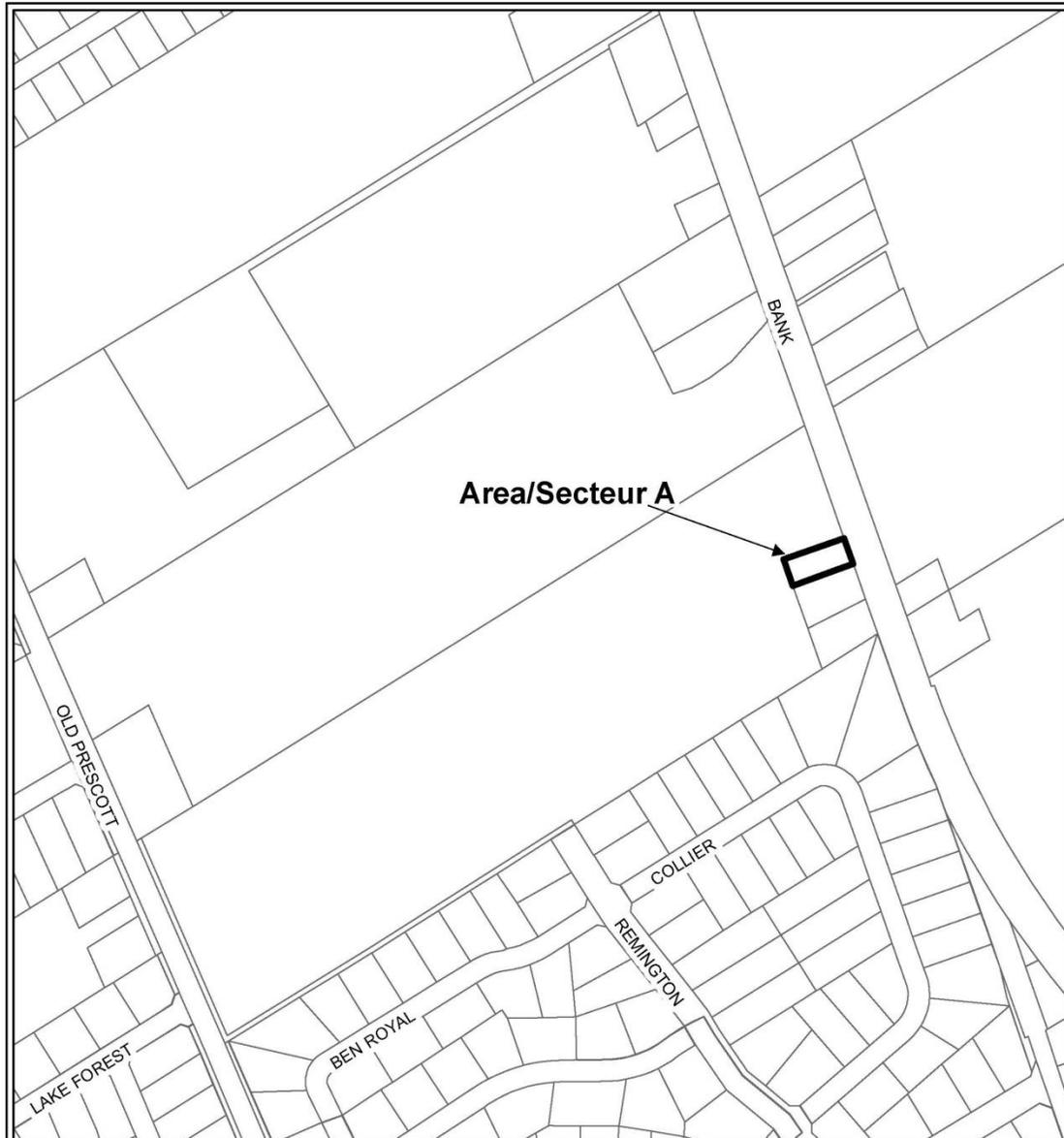
City Clerk and Solicitor Department, Legislative Services, to notify the owner, applicant, OttawaScene Canada Signs, 1565 Chatelain Avenue, Ottawa, ON K1Z 8B5, Ghislain Lamarche, Program Manager, Assessment, Financial Services Branch (Mail Code: 26-76) of City Council's decision.

Planning and Growth Management Department to prepare the implementing by-law, forward to Legal Services and undertake the statutory notification.

Legal Services to forward the implementing by-law to City Council.

Document 1 – Location Map

For an interactive Zoning map of Ottawa visit geoOttawa



 <p>Produced by Planning and Infrastructure Portfolio Produit par le Portefeuille urbanisme et infrastructure</p> <table border="1"> <tr> <td>D02-02-14-0110</td> <td>14-1861-X</td> </tr> <tr> <td colspan="2">I:\CO\2014\ZONING\BANK_5832_REZONE</td> </tr> <tr> <td colspan="2">2014 / 10 / 21</td> </tr> <tr> <td>REVISION DATE</td> <td>DE RÉVISION</td> </tr> </table>	D02-02-14-0110	14-1861-X	I:\CO\2014\ZONING\BANK_5832_REZONE		2014 / 10 / 21		REVISION DATE	DE RÉVISION	<div style="display: flex; align-items: center;">  <p>Location Map / Plan de révision Zoning Key Plan / Schéma de zonage 5832 rue Bank Street</p> </div> <p>Area A to be rezoned from RC1[155r] to RC1[xxxx] Le zonage du secteur A sera modifié de RC1[155r] à RC1[xxxx]</p> <p>043191020 Denotes Teranet-Polaris Parcel Identification Number</p>	<p>Échelle N.T.S. Mètres</p>  <p>Scale N.T.S. Mètres</p>
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Document 2 – Details of Recommended Zoning

Proposed changes to the Comprehensive Zoning By-law for 5832 Bank Street:

1. Rezone the lands shown in Document 1 from RC1[155r] to RC1[XXXr].
2. Create a new exception, RC1[XXXr], with provisions similar in effect to the following:
 - In Column IV the text: all uses except for the following:
 - Office;
 - recreational and athletic facility; and
 - retail store limited to a building supply, home furniture and/or home appliance showroom.
 - In Column V the text:
 - minimum interior side yard setback of 1.2 metres.